



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

APR 29 2019

REPLY TO THE ATTENTION OF

WC-15J

CERTIFIED MAIL 7016 3560 0000 4829 8627
RETURN RECEIPT REQUESTED

Jason Shoff
Director, Facility Operations
Safety-Kleen Systems, Inc.
601 Riley Road
East Chicago, IN 46312

Subject: December 11, 2018 letter re: Safety-Kleen cyanide wastewater discharge
exceedances in East Chicago, Indiana

Dear Mr. Shoff:

The U.S. Environmental Protection Agency (EPA) has received a letter dated December 11, 2018, from Safety-Kleen Systems ("Safety-Kleen" or "you"). In the letter, you described Safety-Kleen's efforts to reduce the concentration of cyanide in the wastewater discharges from its facility in East Chicago, Indiana. You also advised that Safety-Kleen has requested that its Control Authority (East Chicago Sanitary District or ECSD) consider a contributory flow or mass-proportion method to develop a revised allocation for cyanide. You asked to meet with EPA and the Indiana Department of Environmental Management (IDEM) to discuss these issues. On January 23, 2019, IDEM responded by email and suggested that you contact EPA directly for further discussion of these issues.

Under 40 C.F.R. § 403.6(c), ECSD is required to develop and enforce local limits to implement its Pretreatment Program. ECSD has been delegated the authority to set local limits and has the discretion to set local limits that will protect its collection system, wastewater treatment plant and personnel as long as the limits established by ECSD secure compliance with the general and specific prohibitions set forth in 40 C.F.R. §§ 403.6(a)(1) and (b). In a letter dated December 20, 2018 a copy of which is enclosed, EPA approved ECSD's local limit study and other Pretreatment Program documentation. After again reviewing ECSD's actions, EPA has concluded that ECSD has acted consistently with its delegated authority in establishing its current local limits. EPA encourages Safety-Kleen to continue to work directly with ECSD to achieve compliance with the existing limits as soon as possible. We also encourage you to work directly with ECSD regarding a contributory flow or mass-proportion method to develop a revised allocation for cyanide.

If you have any questions or concerns, please contact Associate Regional Counsel, Steven Kaiser, at (312) 353-3804 or by email at kaiser.steven@epa.gov.

Sincerely,

A handwritten signature in blue ink, reading "Joan M. Tanaka".

Joan M. Tanaka, Acting Director
Water Division

cc: Pat Kuefler, Chief
Water Enforcement and Compliance Assurance Branch
EPA Region 5

Kevin Pierard, Chief
NPDES Programs Branch
EPA Region 5

Jodie Opie, Environmental Engineer
NPDES Programs Branch
EPA Region 5

Natalie Maupin, Pretreatment Coordinator
Indiana Department of Environmental Management

Abderrahman Zehraoui, Director of Utilities
East Chicago Sanitary District

Enclosure



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DEC 20 2018

WN-15J REPLY TO THE ATTENTION OF

Kenneth L. Myers
Compliance Manager
East Chicago Sanitary District
5200 Indianapolis Blvd.
East Chicago, Indiana 46312

Re: Review of the Sewer Use Ordinance, Enforcement Response Plan, Legal Authority Letter,
and Local Limit Study for East Chicago Sanitary District, City of East Chicago, Indiana,
NPDES Permit No. IN0022829

Dear Mr. Myers:

The U.S. Environmental Protection Agency has reviewed the East Chicago Sanitary District (ECSD) Sewer Use Ordinance (SUO) and the Local Limit Study (LLS), received by EPA on November 19, 2018; the Enforcement Response Plan (ERP), received by EPA on December 5, 2018; and the legal authority letter received by EPA on May 24, 2016 for the subject facility pursuant to a May 29, 2014 CWA Information Request issued to the City of East Chicago by EPA. The documents accurately reflect the revisions made pursuant to EPA's comments.

In accordance with Section 403.18 of the General Pretreatment Regulations, we are pleased to inform you that EPA hereby approves ECSD's Pretreatment program changes as codified in the revised SUO, LLS, ERP and Legal Authority Letter. Within 90 days, if it has not already been completed, ECSD should revise its Industrial User permits where necessary to reflect the approved changes to its pretreatment program.

Thank you for your continued commitment to protect our nation's water resources. If you have any questions, please contact Jodie Opie at (312) 353-1938, or at opie.jodie@epa.gov.

Sincerely,

A handwritten signature in cursive script, reading "Linda Holst", is positioned above the typed name.

Linda Holst
Director, Water Division

cc: Anthony DeBonis, Jr., Anthony DeBonis, Jr. & Associates
Natalie Maupin, IDEM